



AF/EPW

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David W. Nesbitt  
Serial No. : 10/800,728  
Filed : March 16, 2004  
Title : AUTOMATED ROUTE DETERMINATION

Art Unit : 3663  
Examiner : Ronnie M. Mancho  
Confirmation No.: 1035

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO ACTION OF SEPTEMBER 22, 2005

In response to the final office action of September 22, 2005, applicant asks that all claims be allowed in view of the following remarks. Claims 1-39 are now pending, of which claims 1, 13 and 35 are independent.

RESPONSE TO EXAMINER'S RESPONSE TO APPLICANT'S PREVIOUS ARGUMENTS

**Rejection under Section 112, Second Paragraph**

Claims 1-39 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The claim language in dispute is found in independent claims 1, 13 and 25. Specifically, for example, claim 1 recites, *inter alia*, using a routing system to access an origin and a destination in a routing graph representing a network of roads that includes two or more nodes and two or more directed links. Each directed link is associated with a direction of travel from a starting node to an ending node and represents a road. Each node represents an intersection that includes at least one road. At least two of the directed links are associated with two nodes that are the same such that (1) a starting node of a first link of the at least two directed links is a same node as an ending node of a second link of the at least two directed links and (2) an ending node of the first link of the at least two directed links is the same node as a starting node of the second link of the at least two directed links. The method also includes using the routing system to determine a preferred route from the origin to the destination by using at least one directed link, and communicating the preferred route from the routing system to a user system.

The Examiner maintains the position that there is no possible connection between links and nodes that satisfies the claim language of the independent claims 1, 13 and 25. *See* Office action of September 22, 2005 at page 2, line 6 to page 3, line 1. *See also* Office action of April 6, 2005 at page 2, lines 6-23. In maintaining that position, the Examiner refuses to acknowledge